REMARKS

Claims 1 to 55, 57, 59, and 62 to 69 have been canceled from the subject patent application. Claims 56, 58, 60, and 61 remain under consideration.

Claims 56, 58, 60, and 61 were objected to for usage of the following terms and phrases: "major surface", "inwardly", "aligned longitudinally with the first separable location", and "lateral edge surfaces". The term "major surface" has been deleted from the claims. The term "inwardly" has been deleted from the claims. The phrase "aligned longitudinally with the first separable location" has been deleted from the claims. The term "lateral edge surfaces" has been deleted from the claims and the term "lateral surfaces" has been defined in the claims.

The use of the phrase "as bonded to the insulation layer" in claims 58 and 61 has been objected to. The phrase "as bonded to the insulation layer" has been deleted from claims 58 and 61. I did not find the word "the" misspelled on my copy of the patent application.

Claim 68 has been canceled. Thus, the objections to claim 68 is moot.

Claims 56 to 69 have been rejected under 35 U.S.C. 102(b) as being anticipated by Schwartz et al (US Patent No. 2,786,004).

The insulation of Schwartz et al does not have a resilient fibrous insulation layer, a facing that cooperates with a resilient fibrous insulation layer to form tabs when the insulation layer is compressed in width, or an insulation that can be separated longitudinally by hand to form faced insulation sections of lesser width. Schwartz et al discloses thermal insulation formed by three or more sheets of material that are permanently connected together along their longitudinal edges. The thermal insulation has sheets 1 and 2 (preferably aluminum foil) that are stretched taught when the thermal insulation is installed and sheet 3 (preferably of paper) that assumes a zigzag form when the thermal insulation is installed. Other sheet materials that may be used in the thermal insulation are laminated paper and aluminum foil, plastic, or asbestos.

Schwartz et al neither discloses nor suggests a faced building insulation assembly as set forth in claim 56 and the claims depending there from. More specifically Schwartz et al neither discloses nor suggests a faced building insulation assembly that includes a resilient fibrous insulation layer and facing sheet such as those set forth in claim 56 let alone a resilient fibrous insulation layer and facing sheet composite such as that set forth in claim 56 and the claims depending there from.

The resilient fibrous insulation layer of the insulation assembly of the subject invention has a length of about 46 inches or more, an uncompressed width of about 15 inches or more, and a thickness of about 3 inches or more. The resilient fibrous insulation layer has first and second surfaces defined by the length and width of the resilient fibrous insulation layer that extend between lateral surfaces of the resilient fibrous insulation layer and the first surface of the resilient fibrous insulation layer has longitudinally extending lateral edge portions adjacent the lateral surfaces of the resilient fibrous insulation layer that are at least 0.25 inches in width. The resilient fibrous insulation layer is compressible in the direction of its width from the uncompressed width to a lesser width.

The facing sheet of the insulation assembly of the subject invention has no folds therein, is bonded to the first surface of the resilient fibrous insulation layer, overlies and is substantially coextensive with the first surface of the resilient fibrous insulation layer, and has lateral edge portions overlying but not bonded to the lateral edge portions of the first surface of the resilient fibrous insulation layer so that, when the resilient fibrous insulation layer is compressed to the lesser width, the lateral edge portions of the facing sheet extend as tabs beyond the lateral surfaces of the resilient fibrous insulation layer.

The facing sheet and the resilient fibrous insulation layer of the faced building insulation assembly of the subject invention are separable longitudinally by hand to separate the faced building insulation assembly into faced insulation sections having lesser widths than the uncompressed width of the faced building insulation assembly.

Schwartz et al neither disclose nor suggest such a structure. In view of the amendments to the claims and for the reasons set forth above, the withdrawal of the rejection of claims 56, 58, 60 and 61 as being anticipated by Schwartz et al and the allowance of claims 56, 58, 60 and 61 is solicited.

Respectfully submitted,

Attorney for Applicants

John D. Lister
Registration No. 23,004
(480) 641-7459